

during the POR produced by each respondent for which they did not know that their merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

We intend to issue instructions to CBP 15 days after publication of the final results of this review.

#### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication of the final results of this administrative review, as provided by section 751(a)(2) of the Act: (1) The cash deposit rate for respondents noted above will be the rate established in the final results of this administrative review; (2) for merchandise exported by manufacturers or exporters not covered in this administrative review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the manufacturer of the subject merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 15.45 percent, the all-others rate established in the antidumping investigation as modified by the section 129 determination.<sup>8</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Disclosure and Public Comment

The Department will disclose to parties to this proceeding the calculations performed in reaching the preliminary results within five days of the date of publication of these

preliminary results.<sup>9</sup> Pursuant to 19 CFR 351.309(c), interested parties may submit cases briefs not later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.<sup>10</sup> Parties who submit comments are requested to submit: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities. All briefs must be filed electronically using IA ACCESS. An electronically filed document must be received successfully in its entirety by the Department's electronic records system, IA ACCESS.

Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, using Enforcement and Compliance's IA ACCESS system within 30 days of publication of this notice.<sup>11</sup> Requests should contain the party's name, address, and telephone number, the number of participants, and a list of the issues to be discussed. If a request for a hearing is made, we will inform parties of the scheduled date for the hearing which will be held at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, at a time and location to be determined.<sup>12</sup> Parties should confirm by telephone the date, time, and location of the hearing.

Unless the deadline is extended pursuant to section 751(a)(2)(B)(iv) of the Act, the Department will issue the final results of this administrative review, including the results of our analysis of the issues raised by the parties in their case briefs, within 120 days after issuance of these preliminary results.

#### Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and increase the subsequent assessment of the antidumping duties

by the amount of antidumping duties reimbursed.

These preliminary results of review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: August 18, 2014.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Enforcement and Compliance.*

#### Appendix

##### List of Topics Discussed in the Preliminary Decision Memorandum

1. Background
2. Scope of the Order
3. Discussion of Methodology

[FR Doc. 2014-20152 Filed 8-22-14; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-533-825]

#### Polyethylene Terephthalate Film, Sheet, and Strip From India: Preliminary Results and Partial Rescission of Countervailing Duty Administrative Review; 2012

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The Department of Commerce (the Department) is conducting an administrative review under the countervailing duty (CVD) order on polyethylene terephthalate film, sheet and strip (PET film) from India for the period of review (POR) January 1, 2012, through December 31, 2012. We preliminarily determine that SRF Limited (SRF) and Jindal Poly Films Limited of India (Jindal) received countervailable subsidies during the POR. *See* the "Preliminary Results of Review" section, below. Interested parties are invited to comment on these preliminary results.

**DATES:** *Effective Date:* August 25, 2014.

**FOR FURTHER INFORMATION CONTACT:** Elfi Blum or Myrna Lobo, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-0197 or (202) 482-2371, respectively.

#### Scope of the Order

For purposes of the order, the products covered are all gauges of raw, pretreated, or primed polyethylene terephthalate film, sheet and strip, whether extruded or coextruded.

<sup>8</sup> *See Implementation of the Findings of the WTO Panel in US—Zeroing (EC): Notice of Determinations Under Section 129 of the Uruguay Round Agreements Act and Revocations and Partial Revocations of Certain Antidumping Duty Orders*, 72 FR 25261 (May 4, 2007).

<sup>9</sup> *See* 19 CFR 351.224(b).

<sup>10</sup> *See* 19 CFR 351.309(d).

<sup>11</sup> *See* 19 CFR 351.310(c).

<sup>12</sup> *See* 19 CFR 351.310.

Excluded are metallized films and other finished films that have had at least one of their surfaces modified by the application of a performance-enhancing resinous or inorganic layer of more than 0.00001 inches thick. Imports of PET film are classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under item number 3920.62.00.90. HTSUS subheadings are provided for convenience and customs purposes. The written description of the scope of the order is dispositive.

### Partial Rescission of Administrative Review

On August 28, 2013, the Department initiated a review of eight companies in this proceeding.<sup>1</sup> On December 12, 2013, Petitioners and SRF timely withdrew their requests for review. On the same date, Polyplex USA and Flex USA (domestic interested parties) timely withdrew their requests for reviews of all companies except Jindal and SRF.

On December 18, 2013, Jindal and SRF filed a request with the Department to reject Polyplex USA's and Flex USA's review requests in both the antidumping duty and CVD proceedings because, they alleged, the requestors did not have standing to request a review for the current PORs. The Department made an interested party determination on March 20, 2014, concluding that Polyplex USA and Flex USA were eligible to request administrative reviews for this proceeding.<sup>2</sup>

As Petitioners', Polyplex USA's, and Flex USA's review and withdrawal requests were timely filed, we are rescinding this administrative review with respect to Polyplex, Garware, Ester, Uflex, MTZ, and Vacmet (pursuant to 19 CFR 351.213(d)(1)), and proceeding with the reviews of Jindal and SRF.

<sup>1</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocations in Part*, 78 FR 53128 (August 28, 2013). The eight companies were Ester Industries (Ester), Garware Polyester Ltd. (Garware), Jindal, MTZ Polyesters Ltd. (MTZ), Polyplex Corporation Ltd. (Polyplex), SRF, Uflex Limited (Uflex), and Vacmet. DuPont Teijin Films, Mitsubishi Polyester Film, Inc., and SKC, Inc. (collectively Petitioners) requested a review for six companies (Ester, Garware, Polyplex, SRF, Jindal, and Vacmet). Polyplex, USA LLC (Polyplex USA) and Flex Films (USA) Inc. (Flex USA) requested a review for eight companies (SRF, Jindal, Polyplex, Garware, Ester, Uflex, MTZ, and Vacmet). In addition, SRF self-requested an administrative review.

<sup>2</sup> See Memorandum to Edward Yang, Director AD/CVD Operations, Office VII, Enforcement and Compliance re: Interested Party Status in the Antidumping Duty (AD) and Countervailing Duty (CVD) Administrative Reviews: Polyethylene Terephthalate Film, Sheet, and Strip (PET film) from India; 2012–2013 (March, 20, 2013).

### Methodology

The Department conducted this review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found countervailable, we preliminarily determine that there is a subsidy, *i.e.*, a government-provided financial contribution that gives rise to a benefit to the recipient, and that the subsidy is specific.<sup>3</sup> For a full description of the methodology underlying our conclusions, see the Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations to Ronald K. Lorentzen, Acting Assistant Secretary for Enforcement and Compliance, titled Decision Memorandum for the Preliminary Results of Countervailing Duty (CVD) Administrative Review: Polyethylene Terephthalate Film, Sheet and Strip from India (Preliminary Decision Memorandum), dated concurrently with these preliminary results and hereby adopted by this notice.

The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at <http://iaaccess.trade.gov>, and is available to all parties in the Central Records Unit, Room 7046 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>. The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

### Preliminary Results of Review

We determine the total estimated net countervailable subsidy rates for the period January 1, 2012, through December 31, 2012 to be:

Company	Subsidy rate (%)
SRF Limited .....	2.08
Jindal Poly Films Limited .....	8.36

### Assessment Rates and Cash Deposit Requirements

In accordance with 19 CFR 351.221(b)(4)(i), the Department

<sup>3</sup> See sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

assigned a subsidy rate for each producer/exporter subject to this administrative review. If these preliminary results are adopted in the final results of this review, 15 days after publication of the final results of this review the Department intends to instruct U.S. Customs and Border Protection (CBP) to liquidate shipments of subject merchandise produced and/or exported by SRF and Jindal, entered or withdrawn from warehouse, for consumption from January 1, 2012, through December 31, 2012, at 2.08 percent *ad valorem* and 8.36 percent *ad valorem*, respectively, of the entered value.

The Department intends also to instruct CBP to collect cash deposits of estimated CVDs at the rate of 2.08 percent *ad valorem* and 8.36 percent *ad valorem*, respectively, of the entered value on shipments of the subject merchandise produced and/or exported by SRF and Jindal, entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review.<sup>4</sup> We intend to instruct CBP to continue to collect cash deposits for non-reviewed companies at the applicable company-specific CVD rate for the most recent period or all-others rate established in the investigation. These cash deposit rates, when imposed, shall remain in effect until further notice.

### Disclosure and Public Comment

The Department will disclose to parties to this proceeding the calculations performed in reaching the preliminary results within five days of the date of publication of these preliminary results.<sup>5</sup> Interested parties may submit written comments (case briefs) within 30 days of publication of the preliminary results and rebuttal comments (rebuttal briefs) within five days after the time limit for filing case briefs.<sup>6</sup> Rebuttal briefs must be limited to issues raised in the case briefs.<sup>7</sup> Parties who submit case or rebuttal briefs are requested to submit with the argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.<sup>8</sup>

Interested parties who wish to request a hearing, or to participate if one is requested, must do so within 30 days of publication of these preliminary results by submitting a written request to the Assistant Secretary for Enforcement and

<sup>4</sup> See section 751(a)(2)(C) of the Act.

<sup>5</sup> See 19 CFR 351.224(b).

<sup>6</sup> See 19 CFR 351.309(c)(1)(ii) and 351.309(d)(1).

<sup>7</sup> See 19 CFR 351.309(d)(2).

<sup>8</sup> See 19 CFR 351.309(c)(2) and (d)(2).

Compliance, U.S. Department of Commerce, using Enforcement and Compliance's IA ACCESS system.<sup>9</sup> Requests should contain the party's name, address, and telephone number, the number of participants, and a list of the issues to be discussed. If a request for a hearing is made, we will inform parties of the scheduled date for the hearing which will be held at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, at a time and location to be determined.<sup>10</sup> Parties should confirm by telephone the date, time, and location of the hearing. Issues addressed at the hearing will be limited to those raised in the briefs.<sup>11</sup> All briefs and hearing requests must be filed electronically and received successfully in their entirety through IA ACCESS by 5:00 p.m. Eastern Time on the due date.

Unless the deadline is extended pursuant to section 751(a)(3)(A) of the Act, the Department will issue the final results of this administrative review, including the results of our analysis of the issues raised by the parties in their comments, within 120 days after issuance of these preliminary results.

These preliminary results of review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(4).

Dated: August 18, 2014.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Enforcement and Compliance.*

## Appendix I

### List of Topics Discussed in the Preliminary Decision Memorandum

1. Background
2. Scope of the Order
3. Partial Rescission of Administrative Review
4. Subsidies Valuation
5. Analysis of Programs

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-475-819]

### Certain Pasta From Italy: Preliminary Results and Partial Rescission of Countervailing Duty Administrative Review; 2012

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The Department of Commerce (the Department) is conducting an administrative review of the countervailing duty (CVD) order on certain pasta (pasta) from Italy. The period of review (POR) is January 1, 2012, through December 31, 2012. This review covers two exporters/producers of the subject merchandise, DeMatteis Agroalimentare S.p.A. (DeMatteis) (also known as, "DeMatteis Agroalimentare SpA") and Fratelli DeCecco di Filippo Fara San Martino S.p.A. (DeCecco) (also known as "F.lli De Cecco di Filippo Fara San Martino S.p.A."), as mandatory company-respondents. We preliminarily find that DeMatteis received countervailable subsidies during the POR, and that DeCecco received *de minimis* countervailable subsidies during the POR. The Department is also rescinding the review of one company, Delverde Industrie Alimentari S.p.A., which timely withdrew its request for review. Interested parties are invited to comment on these preliminary results.

**DATES:** *Effective Date:* August 25, 2014.

**FOR FURTHER INFORMATION CONTACT:** Sergio Balbontin or Joshua Morris, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-6478 or (202) 482-1779, respectively.

### Scope of the Order

The scope of the order consists of certain pasta from Italy. The merchandise subject to the order is currently classifiable under items 1901.90.90.95 and 1902.19.20 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to the order is dispositive. A full description of the scope of the order is contained in the "Decision Memorandum for Preliminary Results of Countervailing Duty Administrative Review: Certain Pasta from Italy," from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Ronald K. Lorentzen, Acting Assistant Secretary for Enforcement and Compliance, dated August 18, 2014 (Preliminary Decision Memorandum), and hereby adopted by this notice.

The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS).

IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and available to all parties in the Central Records Unit, Room 7046 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the internet at <http://trade.gov/enforcement/>. The signed and electronic versions of the Preliminary Decision Memorandum are identical in content. A list of topics discussed in the Preliminary Decision Memorandum is provided in the Appendix to this notice.

### Partial Rescission of the 2012 Administrative Review

In accordance with 19 CFR 351.213(d)(1), the Department will rescind an administrative review "if a party that requested the review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review." The notice of initiation of the instant review was published on August 28, 2013.<sup>1</sup>

On December 11, 2013, Delverde Industrie Alimentari S.p.A. (Delverde) timely withdrew its request for review of itself.<sup>2</sup> Because no other interested party requested a review of Delverde, we are rescinding the review with respect to Delverde in accordance with 19 CFR 351.213(d)(1).

### Methodology

The Department is conducting this review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). A full description of the methodology underlying our conclusions is presented in the Preliminary Decision Memorandum.

In making these findings, we relied, in part, on an adverse inference in selecting from among the facts otherwise available because the Government of Italy did not act to the best of its ability to respond to the Department's requests for information regarding certain programs.<sup>3</sup> For further discussion, see Preliminary Decision Memorandum at "Use of Facts Otherwise Available and Adverse Inferences."

Finally, the Department was not able to make a preliminary determination concerning countervailability for certain programs because it requires additional

<sup>1</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 78 FR 53128, 53130-31 (August 28, 2013).

<sup>2</sup> As explained in the Preliminary Decision Memorandum, all deadlines in this administrative review were tolled by 16 days. Therefore, the deadline to withdraw review requests was December 12, 2013.

<sup>3</sup> See sections 776(a) and (b) of the Act.

<sup>9</sup> See 19 CFR 351.310(c).

<sup>10</sup> See 19 CFR 351.310.

<sup>11</sup> See 19 CFR 351.310(c).